



TOWN OF GOLDEN BEACH

**One Golden Beach Drive
Golden Beach, FL 33160**

Official Agenda for the October 19, 2010 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:08 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Vice Mayor Bernard Einstein, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein, Councilmember Amy Rojas

Staff Present: Interim Town Clerk Lissette Perez, Finance Director Maria D. Camacho, Police Chief Jim Skinner, Town Attorney Steve Helfman, Building & Zoning Director Linda Epperson, Support Service Clerk Cynthia Garcia

C. PLEDGE ALLEGIANCE

The Mayor asked the Chief of Police to lead the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

OFFICER OF THE MONTH – SEPTEMBER (Sergeant Leo Santinello)

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/ AND CHANGES TO AGENDA – **NONE**

F. TOWN BOARD/COMMITTEE REPORTS

Beach Committee – None

Beautification Committee – Beth Geduld present, but had no report

Comprehensive Planning Board – None

Recreation Committee – None

Security/Public Safety Committee – None

Youth Leadership Group – letter read into the record from Dina Nicolella, regarding the Halloween Event and the Food Drive the Youth Leadership Group would be holding that night, and an announcement of the next beach clean-up.

G. GOOD AND WELFARE

Alene Fishbein, 256 Golden Beach Drive

Commented on the mess in front of her house due to the CIP. Suggested that the Town purchase sandwiches, chips and sodas for the CIP workers one day to show a small token of the Town's support. She thanked the Town for the donation it made to FIU. She went to FIU today and heard Bruce Babbitt, former Secretary of the Interior during President Bill Clinton's term speak, which made her think that maybe the Town should have a regular column in the Town's newsletter about saving the Town's environment.

H. MAYOR'S REPORT

Commented on the end of the year quickly approaching, and the year flying by. Mentioned that by the end of the year the CIP should be completely finished. South of The Strand looking better and better and Paul Abbott will be giving an update on the project as a whole during the CIP report. Commented on two issues related to North Park: (1) the field, not 100% happy with how the grass grew in, it will be revisited after Halloween for options on how to correct it; and (2) the parking area, possibly putting in brick pavers to replace the grass if it doesn't grow in.

Stressed to the residents that it is up to him/her to keep their properties in compliance when it comes to the Town's code. Warnings will be issued and eventually residents will receive fines that accumulate and accrue interest on a daily basis. Stated that if they do have questions they should come in and speak with Linda or the code enforcement officer at Town Hall.

The December 4th Oceana event has been cancelled due to time constraints. Oceana still wants to do an event at Golden Beach, and we are now trying to figure out when would be the best time to host an event.

Tomorrow night, President Bill Clinton will be visiting the Peisach's residence on Terracina for a fund raiser. He advised residents to avoid the south side of Town from around 6 p.m. and 9 p.m. because of the former president's visit.

I. COUNCIL COMMENTS**Vice Mayor Einstein**

None

Councilmember Bernstein

Commented on the park grass and wanted to re-examine grass options. He also commented on the Halloween party and the hours seeming shorter than last year's. Councilmember Lusskin advised that it was because it is on a Sunday night. He mentioned that the mosquito problem has gotten progressively worse and inquired about how often the Town is being sprayed. He also mentioned that Alex Sink was attending an event this evening in Golden Beach.

Councilmember Lusskin

Reminded everyone that November 11th is Veteran's Day, residents will be receiving notification about it, and the Town will as usual have a great program for that day. Also noticed that there are still a lot of mosquitoes in Town. In relation to the grass not growing by North Park, she mentioned that she was at a program at the Sunny Isles school and they have a grid that allows cars to park right on it.

Commended the building department and the cip team for quickly addressing residents concerns and quickly issuing out permits.

She also spoke on Golden Beach resident Eric Kaplan that lives on A1A, his mother's name is Linda Kaplan. Eric is organizing a Parkinson's disease golf tournament on

October 24th, to honor his father who was diagnosed with Parkinson's disease when he was five years old. She urged residents who are golfers to please attend the event or at least donate.

Councilmember Rojas

Commented on a six-foot section of the ficus on Maccini looking very burnt and the rest of the ficus looking as if it is being attacked by white flies (Paul Abbott commented that Public Works is addressing this).

Spoke on the recent Equinox and the high tides, and those residents need to fix their seawalls so that the flooding does not happen again, especially if the rest of the Town is looking so great.

J. TOWN MANAGER REPORT

None

K. TOWN ATTORNEY REPORT

None

L. CAPITAL IMPROVEMENT PROJECT PROGRESS REPORT & UPDATE

Paul Abbott: began with the best news, which is the drainage system of the base contract is 100% complete, with the exception of activating the lift station at South Park because of title issues. He stated that the system is working very well, which is evident from the north side of Town, and he asked for residents of the South side to be patient as we get closer to completing the project. The team has continued with Phase One which is the area of the drainage south of Verona down to Town Hall, he expects it to be complete within the next 6-8 weeks. He addresses several issues brought up concerning North Park. In the interim parking area, the architects and engineers recommending the process that was used. His recommendation is that that area get sodded over. He addressed Councilmember Bernstein's issues by stating that the contractor was obligated to put sod in as a restoration of the original use of the staging area. Alternative measures will be taken if it warranted. The gazebo construction is scheduled to start tomorrow, which should start to bring the park to completion. Paul stated that by Thanksgiving there should be a complete park, short of the exercise equipment. FPL started their actual work of the undergrounding project, setting a concrete pole in, which will allow all of the wires on the south end of Town to stay, but terminate above ground on the north end of Town. Center Island: drainage, curbs, gutters, underground conduits done. The only left is the painting and cannot be done because of the tides, which are unusually high. Asphalt will be in Center Island in the first part of November. South of The Strand is still messy because of the drainage work, but 3/4th of the sidewalks are done. The team is still targeting substantial completion to Verona Avenue by the end of the year. A1A has been complete for some time, there has been a lighting outage situation caused by the addition of lights and the medjool palms which is causing an overload to the breakers that were not updates for the additions. The Council asked about Golden Beach Drive, and when the south end would be back to two lanes – Paul stated that they were projecting it to be back to two lanes by the end of the year.

Councilmember Bernstein complimented Paul and the team on the drainage in the north end of Town and what an improvement has been made in the Town.

Councilmember Lusskin asked about the transformers in Singer Park. Paul stated that they are switches, not transformers, which will be in place by year's end.

Vice Mayor Einstein spoke on the palm trees at the south end of Town and how great they look, however compared to the north end of Town the trees look like more. Paul stated that the tree count is the same; however, there was about 40% of existing trees that were not available on the south end. It is too early. Need to wait until December for the north end trees to reach the state of the south end trees. He also commented that where the seed was planted on the grid, there have been significant amounts of rain that washed it out. Paul said that it should be sodded. The sod will take and it will grow. In addition, that the team would be having a technical meeting to discuss this further.

Councilmember Rojas agreed with Vice Mayor Einstein about the disparaging look of the north entrance to town compared to the south side, in relation to the trees. She also asked about the switch boxes, asking that maybe there can be decorative metal gate enclosure around them or landscaping around them.

Beth Geduld, 126 Golden Beach Drive – commented on the makeover done on Terracina Avenue and the fact that the front of her home still looks like a war zone. She stated that Terracina was done in six days (for President Clinton's visit) and that she is part of the Beautification Committee and the Committee has consistently been asking to have that area of Town fixed and been told that it can't be done. She wanted to know what the plan was now that Terracina was complete. Is that area going to be ripped up again? Paul explained that there is a very different type of drainage system on Terracina Avenue that is only about 4 ½ feet deep. There are four drainage types that go down on Golden Beach Drive, causing complications on that road. She stated that as a taxpayer she hoped that Terracina Avenue would not be ripped up again, because there would be several people that would be upset about that just because Clinton is coming.

Vice Mayor Einstein stated that there are two councilmember's had obstructions in front of their homes for seven months and their streets were ripped several times.

Alene Fishbein asked about underground utilities and are they safe? Paul assured her that the boxes in front of her home are safe, and underground utilities are 1,000% safer than above ground utilities.

M. ORDINANCES – SECOND READING

None

N. ORDINANCES - FIRST READING

None

O. QUASI JUDICIAL RESOLUTIONS

None

P. CONSENT AGENDA

- 1. Minutes of September 28, 2010 Final Budget Hearing & Special Town Council Meeting**
- 2. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the Town of Bay Harbor Islands**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE TOWN OF BAY HARBOR ISLANDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Resolution No. 2131.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2131.10

- 3. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the City of Miami Beach.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE CITY OF MIAMI BEACH; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2132.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2132.10

- 4. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the City of Miami Gardens.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE CITY OF MIAMI GARDENS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2133.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2133.10

5. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the City of North Miami.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE CITY OF NORTH MIAMI; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2134.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2134.10

6. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the City of North Miami Beach.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE CITY OF NORTH MIAMI BEACH; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE;

Exhibit: Agenda Report No. 6
Resolution No. 2135.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2135.10

7. A Resolution of the Town Council Approving a Mutual Aid Agreement between the Town of Golden Beach and the City of Surfside.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND THE CITY OF SURFSIDE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE;

Exhibit: Agenda Report No. 7
Resolution No. 2136.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2136.10

8. A Resolution of the Town Council Urging the Miami-Dade County Board of County Commissioners to Reject the County Manager's Proposal to Provide the People's Transportation Plan Surtax Funds to Cities Incorporated after 2002.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO REJECT THE COUNTY MANAGER'S PROPOSAL TO PROVIDE THE PEOPLE'S TRANSPORTATION PLAN SURTAX FUNDS TO CITIES INCORPORATED AFTER 2002 FROM THE GROWTH OF THE EXISTING CITIES' 20% SHARE, ALSO KNOWN AS THE "HOLD-HARMLESS OPTION," AND URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO DIRECT THE COUNTY ADMINISTRATION TO PREPARE A PLAN TO FUND THE NEWLY INCORPORATED CITIES FROM THE COUNTY'S 80% SHARE, AS AGREED TO IN MIAMI-DADE COUNTY ORDINANCE NO. 02-116; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2137.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2137.10

9. A Resolution of the Town Council Expressing Support for the Cities of Miami Gardens, Doral, and Cutler Bay, with their Share of the People's Transportation Plan Surtax Funding from the County's 80% Share of the Surtax.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, EXPRESSING SUPPORT FOR THE CITIES OF MIAMI GARDENS, DORAL, AND CUTLER BAY, AND URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE THESE THREE CITIES WITH THEIR RIGHTFUL SHARE OF THE PEOPLE'S TRANSPORTATION PLAN SURTAX FUNDING FROM THE COUNTY'S 80% SHARE OF THE

SURTAX, AS ORIGINALLY NEGOTIATED IN GOOD FAITH AND AGREED TO BY MIAMI-DADE COUNTY IN 2002, AND AS CURRENTLY REQUIRED BY MIAMI-DADE COUNTY ORDINANCE NO. 02-116; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2138.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2138.10

10. A Resolution of the Town Council Authorizing a Donation to the Anti-Defamation League of an Amount not to Exceed \$2,500.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING A DONATION TO THE ANTI-DEFAMATION LEAGUE OF AN AMOUNT NOT TO EXCEED \$2,500.00; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2139.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2139.10

Consensus vote was 5 Ayes and 0 Nays. The motion passed.

Q. TOWN RESOLUTIONS

11. A Resolution of the Town Council Extending the Duration of the Town Manager's Employment Agreement with the Town.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, EXTENDING THE DURATION OF THE TOWN MANAGER'S EMPLOYMENT AGREEMENT WITH THE TOWN AND MODIFYING CERTAIN TERMS OF SAID AGREEMENT; AUTHORIZING THE TOWN ATTORNEY TO TAKE ALL STEPS NECESSARY TO MODIFY THE EMPLOYMENT AGREEMENT TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2140.10

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2140.10

A motion to approve was made by Councilmember Lusskin, seconded by Councilmember Bernstein.

The Mayor gave a brief explanation of what the contract consists of a 3-year contract, with his base salary remaining the same. At the end of each year, depending on his evaluation, he is subject to up to a \$20,000 bonus. The Town will contribute the maximum allowed by the IRS to his 401K. The Town will also make annual contributions of \$7,700 to his 457 account. His administrative leave will be dropped from 80 hours to 40 hours. He will have 160 hours of vacation; it was 120 hours last year. His life insurance, auto allowance and disability remain the same. The Town will contribute \$8,000 to his deferred compensation plan. A severance package is included in his contract, should the Town terminate him without cause.

The Mayor stated that the Town Manager agreed with what was being offered and that he has done a phenomenal job with the Town, with the CIP project, with the budget and with his work with the staff. The contract goes from 2011-2013.

Vice Mayor Einstein asked about the maximum contribution for the 401K, which the Mayor stated was \$16,500. He asked about the Town Manager's vacation and if it accumulates, which the Mayor said that it does accumulate and it is subject to be paid out should the Manager leave the Town. The Mayor asked the Finance Director to print out the Town Manager's accrued vacation for the Council packets for this week. He also asked about the Town Manager's auto allowance and whether it includes insurance. The Mayor stated that it is simply an auto allowance he receives each month. The Mayor explained that the disability plan for the Town Manager is the same as the disability plan that the other employees receive. He asked about the severance pay the Manager would receive, the Mayor stated that the compensation would be just his salary.

Resident Alene Fishbein asked if the Council had found out what the salaries of Managers from adjacent communities were making and the Mayor advised her that he had a printout with that information on it. She asked the Councilmembers to be careful and not overpay or underpay.

On roll call, the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Einstein	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Rojas	<u>Aye</u>

The motion passed 5-0.

R. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Bernard Einstein:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Amy Rojas:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Town Manager Alexander Diaz
None Requested

S. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Mayor Singer, seconded by Councilmember Lusskin.

Consensus vote 5 Ayes 0 Nays.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Lissette Perez

Lissette Perez
Interim Town Clerk